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IV.

1941

# File No. O. Passport /41

Legal DEPARTMENT

A BRANCH

**Subject:—**

Opinions under the Indian Passport Act 1920

P2E

**File No.** O. Passport /41

Std. Sectt. Slip 24 B e.

149 A

# C O N T E N T S.

Legal Department File No. C.Passport/1941.

| S.No. | Compilation No. | Subject | Pages. |
|---|---|---|---|
| 1. | C.No.793 dt.28-1-41. | Indian Passport Act,1920 ——— Whether passport of Mrs.P. surrendered through the agents can be cancelled without any application or consent signed by her. ..... | 1-2. |

H.V.V. 915.

K.S.R. 915.

Office of the R.L.A.

Issue of passports to persons going out of British India is a matter within the prerogative of the Crown and is independent of any statutory provision (see R.L.A's No.140-P, dated 1st August 1938 to the P.& G.D.). A complete set of the passport Regulations is not available here. However, on general considerations and in view of the provisions of Regulation 7, it appears that in the absence of any specific regulation providing for the cancellation or withdrawal of passports already issued, passports once they have been issued cannot be cancelled except for reasons of State or with the holder's consent. In the present instance, although the passport issued in favour of the senior wife viz. Mrs. Jibaben Patel has been surrendered through the agents, it does not appear from the papers now sent that either Mrs. Jibaben herself or any one duly authorised (e.g. by a power of attorney) on her behalf has applied for or consented to the cancellation of the passport issued to her. It would not, therefore, be advisable to cancel the passport in question without any such application or consent signed by Mrs. Jibaben Patel.

Sd. P.N.M.
Remembrancer of Legal Affairs.

R.L.A. to the Passport Office, No.793 dated the 28th Jan.41.

H.V.V.
31/4.